FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE.

CRIMINAL APPLICATION NO. 7924 OF 2005

Office Notes, Office Memorada orders or directions and Registrar‘s orders.	Court‘s or Judge‘s Orders.
	Smt. V.R.Bhosale APP for applicant.

CORAM; V.G.PALSHIKAR Acg.C.J.&
SMT.NISHITA MHATRE,J.

DTAED: 28TH AUGUST, 2006.

P.C.

1. Application for leave to appeal against the order of acquittal u/sec. 307 of IPC is challenged. The learned trial Judge on appreciation of the evidence convicted the accused under sec. 324 of IPC to suffer imprisonment for a period of three years. It is not a case where assault is not proved or not penalised. If the trial Judge on appreciation of evidence comes to the conclusion that assault was intended to be an assault and acquits the accused

u/s. 307 IPC, it cannot be impugned as an illegality committed by the trial court. Appreciation of evidence has been properly done and consequently no interference is called for. Application for leave is rejected.

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